

District Judge Marsha J. Pechman
Magistrate Judge Mary Alice Theiler

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MASSIMILIANO DELLAGUARDIA

Petitioner,

v.

ALBERTO R. GONZALES, Attorney General
of the United States, et al.,

Respondents.

No. C06-01378-MJP-MAT

JOINT STIPULATION AND ORDER
CONTINUING RESPONDENTS'
RESPONSE DATE

(Noted for Consideration Today Pursuant
to Local Rule 7(d)(1))

COMES NOW the Petitioner, by and through his counsel, Jay Warren Stansell, and the Respondents, by and through their counsel, John McKay, United States Attorney for the Western District of Washington, and Kristin B. Johnson, Assistant United States Attorney for said District, and hereby stipulate and agree as follows:

WHEREAS Petitioner filed a Petition for Writ of Habeas Corpus on September 25, 2006 (Dkt. #3).

WHEREAS the Court issued an Order for Service, and for Return and Status Report on September 25, 2006, requiring Respondents to file a return within thirty (30) days of service of the Order (Dkt. #7). The deadline for Respondents to file a return is currently November 1, 2006.

WHEREAS the parties agree that the Respondents are taking action to resolve this case, and have filed a motion with the Immigration Court to dismiss the removal proceedings currently pending against Petitioner.

JOINT STIPULATION AND ORDER
CONTINUING RESPONDENTS'
RESPONSE DATE – 1
(C06-01378-MJP-MAT)

UNITED STATES ATTORNEY
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1 WHEREAS the parties agree that the Respondents' actions will likely moot the issues
2 in the pending habeas petition, and that the actions should be completed no later than
3 November 30, 2006.

4 NOW THEREFORE, the parties, through their respective counsel of record, do hereby
5 stipulate and agree that:

6 1. The deadline for Respondents to file a return to Petitioner's Petition for Writ of Habeas
7 Corpus shall be extended to December 1, 2006.

8 SO STIPULATED.

9 DATED this 1st day of November, 2006.

10
11 /s/ Jay W. Stansell
12 JAY W. STANSELL, WSBA # 18752
Attorney for Petitioner

13 SO STIPULATED.

14 DATED this 1st day of November, 2006.

15 JOHN McKAY
16 United States Attorney

17 /s/Kristin B. Johnson
18 KRISTIN B. JOHNSON, WSBA #28189
Assistant United States Attorney
Attorney for Respondents

19 **ORDER**

20 IT IS SO ORDERED.

21 DATED this 2nd day of October, 2006.

22
23 
24 Mary Alice Theiler
25 United States Magistrate Judge
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